



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/553,012	04/20/2000	Marc Eller	12179-P081US	4248

29444 7590 04/05/2002

KELLY KORDZIK  
WINSTEAD SECHREST & MINICK P.C.  
5400 RENAISSANCE TOWER  
DALLAS, TX 75270

EXAMINER

NGUYEN, KEVIN M

ART UNIT	PAPER NUMBER
----------	--------------

2674

DATE MAILED: 04/05/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/553,012

Applicant(s)

ELLER ET AL.

Examiner

Kevin M. Nguyen

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 and 14-54 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 14-54 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3,4,6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. The amendment filed on 1/17/2002 is entered. The rejection of claims 1-7 and 14-41 are maintained.
2. Claims 42-54 are not entered because of the new subject matter. An action as follows:

#### *Drawings*

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the features, "a computer program, a first network, a second network, a first target display, a first designated target display" as recited in claim 27, "a computer program product adaptable for storage on a computer readable medium, the computer program product operable for uploading content to an electronic display, receiving content, receiving a designation of a target display device to display the content, receiving a designation of a time that the target display device is to display the content" as recited in claim 37, "a digital presentation system, a scheduling server, a computer processor, a storing data, a data transceiver means, media encoding/transcoding means, one visual display sub-system, a display controller, decoding, and presenting multimedia content on one or more of the display screens, a first data communication network, an individual workstation, a second data communication network, processing data to determine/select/reserve the availability of an air time periods, associating one of more multimedia content" as recited in claim 43, "the display of multimedia content on one or more display screens, one or more display controllers, scheduling server, a data

communication network, selecting the multimedia content to be displayed, storing a content on the scheduling server, selecting/storing/transmitting/displaying a stored content and a time interval" as recited in claim 45, "a wireless display board system, a wireless advertising information provider as recited in claim 46, "a wireless display board" as recited in claim 53 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claim 27 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specification only discloses "referring to figure 4, electronic billboards, ....each billboard may have its own website associated with it, wherein the website will be supported by server 405. Server 405 will maintain the web page for billboard 401, and will be accessible by a user over the Internet 403 by going to www.billboard401.com (see page 9, lines 3-7), However, the application does not disclose expressly where "a computer program product adaptable

for storage on a computer readable medium, the computer program product operable for displaying information on an electronic display, comprising the program steps of: receiving over a first network first information and a designation of a first target display ; and sending the first information over a second network to the first designated target display" is, so as to enable the examiner understanding the claimed invention.

6. Claim 37 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specification only discloses "software are located at the electronic billboard site" (page 6, line 10), a software PowerPoint (page 8, line12). However, the application does not disclose expressly where "a computer program product...to display the content" is, so as to enable the examiner understanding the claimed invention.

7. Claim 42 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specification only discloses "electronic billboards, such as the one illustrated in figure 2A and 2B...television or a computer display" (page 6, line 3). However, the application does not disclose expressly where "a digital presentation system, a scheduling server, a computer processor, a storing data, a data transceiver means, media encoding/transcoding means, one visual display sub-system, a display controller, decoding, and presenting multimedia content

on one or more of the display screens, a first data communication network, an individual workstation, a second data communication network, processing data to determine/select/reserve the availability of an air time periods, associating one of more multimedia content" are, so as to enable the examiner understanding the claimed invention.

8. Claim 42 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specification only discloses "any one or more of the billboards noted by the exemplary locations of figure 1 could be indoor billboards" (page 6, line18-20). However, the application does not disclose expressly where one or more display screens are, where one or more display controllers are, how control/selecting/storing/displaying the multimedia content of a scheduling server, so as to enable the examiner understanding the claimed invention.

9. Claims 46 and 53 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specification only discloses "each billboard could also broadcast, on particular wireless frequencies to passers by, information about the billboard or its ads, in a manner similar to the way airport information is broadcast to car radios when car near an airport" (page 10, lines 1-3). However, the application does not disclose expressly how offer a wireless advertising information in a wireless display boards system, how output a wireless

advertising messages on the wireless display board system, where a wireless display board system is, so as to enable the examiner understanding the claimed invention.

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 1-7 and 14-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Royal, Jr et al (US 5,980,090) hereinafter Royal.

12. As to claim 1, Royal teaches the internet asset management system for a fuel dispensing environment coupling an electronic display 38, an input device or keypad 40, a card reader 41 (an information handling system as claimed), a controller or control system 32 (operating/ controlling what is display on the electronic display as claimed, see figure 2, col. 5, lines 15-25) coupling via the internet or similar network 30, in a main server station store 16, a convenience store 20 have the local station server 18, and any number of remote servers 26, the browser 36 for each client preferably has the ability to request services either locally or remotely, via the internet or similar network (a computer remotely locate...of the electronic billboard as claimed, see col. 5, lines 40-43).

13. As to claim 2, Royal teaches a display 38 of a fuel-dispensing environment. It would have been obvious to a person of ordinary skill in the art at the time of the invention to consider that a display 38 can be viewed by a plurality of people.

14. As to claims 3 and 4, Royal teaches a display 38 of a fuel-dispensing environment. It would have been obvious to a person of ordinary skill in the art at the time of the invention to consider that a display 38 is an outdoor billboard and indoor billboard.

15. As to claims 5 and 6, Royal teaches the embedded function may also act to keep the connection open to allow various types of communication back and forth between the client browser and the selected device (see col. 8, lines 27-30).

16. As to claim 7, Royal teaches a least two fueling dispenser 12 (see figure 2), a second display 38 having an input device or keypad 40, a card reader 41 (an information handling system as claimed) coupling via the internet or similar network 30, in a main server station store 16, a convenience store 20 have the local station server 18, and any number of remote servers 26. The control system 50 interfaces and interacts with the fuel dispensers to obtain access, upload information to the dispensers 12 (see col. 6, lines 15-18).

17. As to claim 14, Royal teaches a method of providing a fuel station environment 10 having a plurality of fuel dispensers 12 that are located on the map of the North America (see figure 7a), each fuel dispenser 12 having an input device or keypad 40, a card reader 41 (an information handling system as claimed) coupling via accessing a homepage for logging onto the site's asset management system 300 (see col. 8, lines 35-37). The system may control pricing remotely from a price posting interface page 308, which leads to pricing 310, 312 and provide a way to change prices and also upload information and advertising at the convenience store or other area in the fueling



environment, respectively (see col. 8, lines 50-59), and display the pricing on the selected display 38 of fuel dispenser 12 depending on each country.

18. As to claim 15, Royal teaches the system may control pricing remotely from a price posting interface page 308, which leads to pricing 310, 312 and provide a way to change prices and also upload information and advertising at the convenience store or other area in the fueling environment, respectively (see col. 8, lines 50-59), and display the pricing on the selected display 38 of fuel dispenser 12 depending on each country. It would have been obvious to a person of ordinary skill in the art at the time of the invention to consider that the pricing of fuel and the advertising selecting a time period for displaying on the display 38.

19. As to claim 16, Royal teaches the user at the Brower 25, 27 will select a device from the list of possible devices on the site network, such as a fuel dispenser, and will connect to the HTTP server on the target device 108 (see col. 7, lines 34-37).

20. As to claim 17, Royal teaches the list of distribution of fuel dispenser 12 on a map of North America (see figure 7a).

21. As to claim 18, Royal teaches a card reader 41 and cash acceptor 43 (see col. 4, line 11).

22. As to claim 19, Royal teaches a system for displaying information on a fuel station environment 10 having a plurality of fuel dispensers 12 that are located on the map of the North America (see figure 7a), each fuel dispenser 12 having an input device or keypad 40, a card reader 41 (an information handling system as claimed) coupling via accessing a homepage for logging onto the site's asset management system 300

(see col. 8, lines 35-37). The system may control pricing remotely from a price posting interface page 308, which leads to pricing 310, 312 and provide a way to change prices and also upload information and advertising at the convenience store or other area in the fueling environment, respectively (see col. 8, lines 50-59), and display the pricing on the selected display 38 of fuel dispenser 12 depending on each country.

23. As to claim 20, Royal teaches the system may control pricing remotely from a price posting interface page 308, which leads to pricing 310, 312 and provide a way to change prices and also upload information and advertising at the convenience store or other area in the fueling environment, respectively (see col. 8, lines 50-59), and display the pricing on the selected display 38 of fuel dispenser 12 depending on each country. It would have been obvious to a person of ordinary skill in the art at the time of the invention to consider that the pricing of fuel and the advertising selecting a time period for displaying on the display 38.

24. As to claim 21, Royal teaches the user at the Brower 25, 27 will select a device from the list of possible devices on the site network, such as a fuel dispenser, and will connect to the HTTP server on the target device 108 (see col. 7, lines 34-37).

25. As to claim 22, Royal teaches the list of distribution of fuel dispenser 12 on a map of North America (see figure 7a).

26. As to claim 23, Royal teaches a card reader 41 and cash acceptor 43 (see col. 4, line 11).

27. As to claims 24, 27 and 37, Royal teaches a method of advertising comprising of steps of uploading pricing remotely from a price posting interface page 308, which leads

to pricing 310, 312 and provide a way to change prices, and also upload information and advertising at the convenience store or other area in the fueling environment, respectively (see col. 8, lines 50-59), and display the pricing on the selected display 38 of fuel dispenser 12 depending on each country. The method for controlling interfaces and interacting with the fuel dispensers to obtain access, upload information to the dispensers 12 (see col. 6, lines 15-18). The pricing and the advertising inherently have a selected time.

28. As to claims 25, 26, 28-36 and 38-41, Royal teaches to upload information and advertiser at the selected display 38 of fuel dispenser 12 of the convenience store or other area in the fueling environment at the Internet/website/homepage dedicated to the selected fuel dispenser 12 (see col. 8, lines 50-59). It would have been obvious to a person of ordinary skill in the art at the time of the invention to consider that the consumers will view the advertisers during they are fueling at different location.

29. Claims 1, 14 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Walker et al (IDS) (US 6,186,893).

30. As to claim 1, Walker teaches a display system having an interactive display device 22, card reader 55, and keys 56 (see figure 6, col. 4, lines 50-51), network server 22, which is connected to a plurality of slot machines 14, 16, 18 (see col. 2, lines 61-62), computer remotely (see figure 2) connects via the network10.

31. As to claim 14, Walker teaches a method of a display system having an interactive display device 22, card reader 55, and keys 56 (see figure 6, col. 4, lines 50-51), network server 22, which is connected to a plurality of slot machines 14, 16, 18

locating various locations (see col. 2, lines 61-62), computer remotely (see figure 2) connects via the network 10. It is well known that advertisers integrate advertising messages into video games/ billboard. The billboards in some car-racing games are paid advertisements, in much the same manner as advertisers pay to have their messages displayed on billboards at a real race track (see col. 1, lines 26-30).

32. As to claim 19, Walker teaches a system for a display system having an interactive display device 22, card reader 55, and keys 56 (see figure 6, col. 4, lines 50-51), network server 22, which is connected to a plurality of slot machines 14, 16, 18 locating various locations (see col. 2, lines 61-62), computer remotely (see figure 2) connects via the network 10. . It is well known that advertisers integrate advertising messages into video games/ billboard. The billboards in some car-racing games are paid advertisements, in much the same manner as advertisers pay to have their messages displayed on billboards at a real race track (see col. 1, lines 26-30).

33. Claims 24, 27 and 37 are rejected under 35 U.S.C. 102(e) as being anticipated by Semple et al (US 6,085,177).

34. As to claims 24, 27 and 37, Walker teaches a method of advertising for uploading advertising data to a display system to the WWW-advertised goods, municipal agencies and organizations which sponsor cultural events, e.g., the symphony, are using the WWW to advertise and promote their services and/ or functions (see col. 1, lines 22-30).

### ***Response to Arguments***

35. Applicant's arguments filed 1/17/2002 have been fully considered but they are not persuasive.

36. Applicant's arguments with respect to claims 1-7 and 14-54 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

37. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892 form.

38. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Kevin M. Nguyen** whose telephone number is **703-305-6209**. The examiner can normally be reached on MON-FRI from 9:00-5:00 with alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard A Hjerpe** can be reached on **703-305-4709**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Kevin M. Nguyen  
Examiner  
Art Unit 2674

A handwritten signature in black ink, appearing to read 'R. Hjerpe', is positioned above the printed name and title.

RICHARD HJERPE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600